

EXHIBIT 2

From: **Adam Ford** aford@fordobrien.com
Subject: Re: Rule 45 subpoenas - Avalon/New Concept
Date: December 12, 2019 at 11:37 AM

To: Miriam Tauber miriamtauberlaw@gmail.com

Cc: Danielle McLaughlin dmclaughlin@fordobrien.com, Robert Landy rlandy@fordobrien.com, David Lopez DavidLopezEsq@aol.com

AF

Miriam,

On the other email, there may have been some inartful wording caused by my poorly explaining things to Danielle. Let me be clear, no evidence is spoiled or missing. The trading records are kept at the brokerage firm with whom the trades were placed (which we've identified), not with mintbroker. Mint Broker was forced to shutter, and as a result there are complications with respect to accessing the records. But we do not believe it is in possession of many, if any responsive documents. If we locate responsive documents, we will produce them. If there is something specific you are looking for, we are happy to discuss. We did not intend to suggest there was any issue with proceeding with discovery in an orderly manner, just highlighting that there are some complications given recent events.

Adak

On Thu, Dec 12, 2019 at 10:49 AM Miriam Tauber <miriamtauberlaw@gmail.com> wrote:
Adding David Lopez. Please remember to include him.

On Dec 12, 2019, at 10:48 AM, Miriam Tauber <miriamtauberlaw@gmail.com> wrote:

We will make sure DTCC is also including NSCC records in their searches in response to our subpoena as well. Thank you for clarifying that.

When will we see your Notices with copies of your requests?

More importantly. Will you please respond to my other inquiry about conferring today to discuss the other issues raised by your amended responses to our discovery requests?

On Dec 12, 2019, at 10:36 AM, Danielle McLaughlin <dmclaughlin@fordobrien.com> wrote:

Miriam,

As I have been drafting our Rule 45 subpoenas I have come to realization that NSCC, a subsidiary of DTCC, may have certain relevant information we otherwise believed resided with DTCC. As you know, we named DTCC in our interrogatories, but not its subsidiary NSCC. We will be directing subpoenas to both NSCC and DTCC because we want to avoid DTCC rejecting the subpoena on a technical basis.

Please let me know if you'd like me to update our Rogs.

Best,

Danielle

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